

PATENT APPLICATION FEE DETERMINATION RECORD
Effective November 10, 1998

Application or Docket Number

09 434,394

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

| FOR | NUMBER FILED | NUMBER EXTRA |
|----------------------------------|---------------|--------------|
| BASIC FEE | | |
| TOTAL CLAIMS | 65 minus 20 = | 45 |
| INDEPENDENT CLAIMS | 7 minus 3 = | 4 |
| MULTIPLE DEPENDENT CLAIM PRESENT | | |

* If the difference in column 1 is less than zero, enter "0" in column 2

| SMALL ENTITY TYPE | OTHER THAN OR SMALL ENTITY |
|----------------------|-------------------------------|
| RATE | 380.00 |
| OR | 760.00 |
| X\$ 9= | |
| OR | X\$18= 810 |
| X39= | |
| OR | X78= 312 |
| +130= | |
| OR | +260= |
| TOTAL | 1387 |

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

| AMENDMENT A | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|---|------------------|
| Total | 65 | Minus | 0 |
| Independent | 7 | Minus | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | |

| SMALL ENTITY | OTHER THAN OR SMALL ENTITY |
|------------------|-------------------------------|
| RATE | ADDI- TIONAL FEE |
| X\$ 9= | |
| OR | X\$18= |
| X39= | |
| OR | X78= |
| +130= | |
| OR | +260= |
| TOTAL ADDIT. FEE | TOTAL ADDIT. FEE |

| AMENDMENT B | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|---|------------------|
| Total | 65 | Minus | 0 |
| Independent | 7 | Minus | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | |

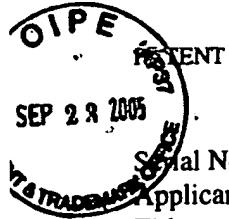
| AMENDMENT B | RATE | ADDI- TIONAL FEE | RATE | ADDI- TIONAL FEE |
|------------------|------|------------------------|------------------|------------------------|
| X\$ 9= | | | X\$18= | |
| X39= | | | X78= | |
| +130= | | | +260= | |
| TOTAL ADDIT. FEE | | | TOTAL ADDIT. FEE | |

| AMENDMENT C | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|---|------------------|
| Total | 64 | Minus | 0 |
| Independent | 7 | Minus | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | |

| AMENDMENT C | RATE | ADDI- TIONAL FEE | RATE | ADDI- TIONAL FEE |
|------------------|------|------------------------|------------------|------------------------|
| X\$ 9= | | | X\$18= | |
| X39= | | | X78= | |
| +130= | | | +260= | |
| TOTAL ADDIT. FEE | | | TOTAL ADDIT. FEE | |

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- * If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
- * If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.



ATTORNEY DOCKET NO. 114596-20-4009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/434,394 Confirmation No.: 3898
Applicant: John S. Yates, Jr., et al.
Title: DETECTING REORDERED SIDE-EFFECTS
Filed: November 4, 1999
Art Unit: 2192
Examiner: H.V. Nguyen Ba

Atty. Docket: 114596-20-4009
Customer No. 38492

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby responds to the Office Action of May 20, 2005.

PETITION FOR EXTENSION OF TIME

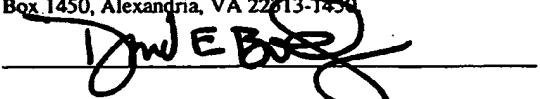
Applicant petitions for a one-month extension of time to respond to the Office Action of May 20, 2005, to and including September 20, 2005.

Kindly charge the petition fee to Deposit Account No. 23-2405, Order No. 114596-20-4009.

AMENDMENTS TO THE CLAIMS are set forth in the Appendix to this paper.

REMARKS/ARGUMENTS begin on page 1 of this paper.

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on September 20, 2005 as First Class Mail in an envelope with sufficient postage addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


114596-20-4009 SAN 09/434,394
This paper dated September 20, 2005 2994636.1

VIII. Conclusion

Applicant notes that the examination of this application, at least for double patenting, has been extraordinarily sloppy. This is a waste of time for the examiner, and a waste of money for Applicant. Applicant respectfully requests a careful examination of the claims, in light of all differences indicated above.

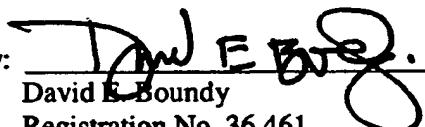
In view of these remarks, Applicant respectfully submits that the claims are in condition for allowance. Applicant requests that the application be passed to issue in due course. The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 23-2405, Order No. 114596-20-4009.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: September 20, 2005

By:



David E. Boundy
Registration No. 36,461

WILLKIE FARR & GALLAGHER LLP
787 Seventh Ave.
New York, New York 10019
(212) 728-8757
(212) 728-9757 Fax

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